

Appl. No.: 10/010,310
Atty. Docket No.: AUR-010US / 290807.121US1
Amendment dated 06/13/06

REMARKS/ARGUMENTS

I. Interview Summary:

Applicant thanks Examiner Gabel for the courtesy of the telephonic Examiner's Interview held with Applicant's representative, Dr. Ann-Louise Kerner, on June 13, 2006.

At that interview, potential claim amendments to independent claims 10 and 26 were discussed in order to place the above application in condition for allowance. The Examiner and Dr. Kerner suggested the instant amendments to claims 10 and 26.

II. Request for Continued Examination:

Applicant gratefully notes that the submission accompanying the Request for Continued Examination under 37 C.F.R. § 1.114 filed on February 3, 2006 has been entered.

III. Status of Claims:

Claims 10, 12-17, 19, 20, 23, 24, 26, 29-34, 36, 39, 40, and 75-77 are under examination in the present application.

Claims 42-50, 52, 55, 56, 58-69, and 72 have been withdrawn as being drawn to a non-elected invention without prejudice for examination at a later date.

Claims 10 and 26 have been amended herewith. Support for these claim amendments can be found throughout the application-as-filed. Specifically, support for the amendment to claim 10 can be found, *inter alia*, in the following sections of the published application (*i.e.*, US2002/0142348): Fig. 2; [0073]; [0052]; [0074]; Fig. 6; [0078]; Fig. 9; [0081]; Fig. 11; [0083]; first full line of the right column of [0089]; [0092]; [0101]; [0132]; [0137]; [0138]; and [0139]. Support for the amendment to claim 26 can be found, *inter alia*, in the following sections of the published application: Fig. 3; [0075]; [0052]; [0074]; Fig. 6; [0078]; Fig. 9; [0081]; Fig. 11; [0083]; first full line of the right column of [0089]; [0092]; [0101]; [0132]; [0137]; [0138]; and [0139].

Thus, no new matter has been added by way of the instant amendments to the claims. Accordingly, Applicant respectfully requests entry of the instant amendment.

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IV. Withdrawn Rejections:

Applicant gratefully notes that the Examiner has withdrawn the following rejections:

- (i) the rejection of claims 10-17, 19, 20, 23, 24, 26, 27, 29-34, 36, 39, 40, and 75-78 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement;
- (ii) the rejection of claims 10-17, 23, 26, 27, 29-34, 39, and 75-78 under 35 U.S.C. § 103(a) as purportedly being unpatentable over Geysen (US 5,595,915), in view of Miwa (EP 0 818467A2); and
- (iii) the rejection of claims 10-17, 20, 24, 26, 27, 29-34, 36, 40, and 75-78 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Georges *et al.* (*J. Biol. Chem.* 268(3):1792-98, 1993) in view of Miwa (EP 0 818467A2).

V. New Rejections:

- (a) Claims 10, 12-17, 19, 26, 29-34, and 75-77 were rejected under 35 U.S.C. § 102(b) as purportedly being inherently anticipated by Geysen (US 5,595,915).

Without acquiescing to this rejection, and solely to expedite prosecution, Applicant has amended independent claims 10 and 26 essentially as suggested by the Examiner (*see, Interview Summary above*).

In view of the instant amendments, Applicant respectfully avers that this ground of rejection has been overcome. Accordingly, Applicant requests that this rejection under § 102(b) be reconsidered and withdrawn.

- (b) Claims 10, 12-17, 20, 24, 26, 29-34, 36, 40, and 75-77 are rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable over Georges *et al.* (*J. Biol. Chem.* 268(3):1792-98, 1993).

Without acquiescing to this rejection, and solely to expedite prosecution, Applicant has amended independent claims 10 and 26 essentially as suggested by the Examiner (*see, Interview Summary above*).

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In view of the instant amendments, Applicant respectfully avers that this ground of rejection has been overcome. Accordingly, Applicant requests that this rejection under § 102(b) be reconsidered and withdrawn.

VI. Objections:

The Examiner has indicated that claims 23 and 39 are free of the prior art, but objected to these claims being dependent on a rejected base claim.

In view of the instant amendments to independent claims 10 and 26, Applicant respectfully avers that this objection has been rendered moot. Accordingly, Applicant respectfully requests that this objection be reconsidered and withdrawn.

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CONCLUSION

Claims 10, 12-17, 19, 20, 23, 24, 26, 29-34, 36, 39, 40, and 75-77 are under examination in the instant application.

Applicant respectfully avers that all rejections of these claims have been overcome and that these claims are in condition for allowance.

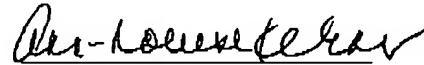
No fees are due in connection with this filing. However, if any fees are due, please charge any underpayments, or credit any overpayment, to our Deposit Account No. 08-0219.

If there are any questions regarding this application, the Examiner is invited to call the undersigned at the telephone number indicated below.

Respectfully submitted,

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

Date: June 13, 2006



Ann-Louise Kerner, Ph.D.
Reg. No. 33,523

**WILMER CUTLER PICKERING
HALE AND DORR LLP**
60 State Street,
Boston, MA 02109
Tel: (617) 526-6192
Fax: (617) 526-5000